THE HONOURABLE SRI JUSTICE V.ESWARAIAH

Date:23-3-2006

WRIT PETITION No. 5083 OF 2006

BETWEEN:

Muppidi Raju

…Petitioner

And

The Panchayat Secretary, Kolamuru Gram Panchayat, Rajahmundry Rural Mandal, East Godavari District.

…Respondent

ORDER:

The petitioner seeks to issue a writ of mandamus, declaring the action of the respondent in evicting him from the land in an extent of 0-39 cents in R.S.No.410/1B of Kolamuru village, Rajahmundry Rural Mandal, East Godavari District and demolish the thatched shed therein without notice or passing any order as illegal, arbitrary and unjust.

Heard the learned counsel appearing for the petitioner as well as the learned standing counsel appearing for the respondent.

It is the case of the petitioner that as against the proceedings initiated

against him, resuming the lands under the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfer) Act, 1977, a revision is pending before the Government. It is further stated that this Court by order dated 7-12-2005 in W.P.No.26089 of 2005, directed the Mandal Revenue Officer, Rajahmundry Rural Mandal, Revenue Divisional Officer, Rajahmundry, Joint Collector, East Godavari and the Government of Andhra Pradesh, Revenu (Assignments) Department, not to evict the petitioner from the land in question, pending disposal of the revision. The said order equally applies to the respondent in this case also.

Having regard to the facts and circumstances of the case, the respondent is directed not to take any coercive steps for evicting the petitioner from the land in question, pending disposal of the revision before the Government.

The writ petition is disposed of accordingly.

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V.ESWARAIAH, J

Date: 23-3-2006.

Shr.